

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re Application of:</b>	<b>Eder et al.</b>
<b>Application No.:</b>	<b>Not yet assigned</b>
<b>Filed:</b>	<b>Concurrently herewith</b>
<b>For:</b>	<b>Expandable Coil Stent</b>
<b>Examiner:</b>	<b>Not yet assigned</b>
<b>Group Art Unit:</b>	<b>Not yet assigned</b>

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Docket No.: S63.2N-9703-US02**

**INFORMATION DISCLOSURE STATEMENT**

Listed below or on an attached form listing the cited references and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If the form listing the cited references or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying form listing the cited references as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the form listing the cited references and/or 892 forms from these cases.

  X   I. This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- X   (1) within 3 months of the filing date of the application (other than a CPA); or
- (2) within 3 months of entry of the national stage; or
- X   (3) before the mailing of a first Office Action on the merits;
- (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- (5) as part of a continued prosecution application (CPA); or
- (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

      II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- (1) a certification as specified in §1.97(e) is provided below; or
- (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

\_\_\_\_\_ **III. 37 C.F.R. §1.97(d).** If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- \_\_\_\_\_ (1) a certification as specified in §1.97(e) is completed below; and  
\_\_\_\_\_ (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

**X** **IV. Fee Authorization.** If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

***If paragraph II.1 or III is checked, also check one of the paragraphs below***

\_\_\_\_\_ I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

\_\_\_\_\_ I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


***For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.***

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: July 1, 2003

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<b>UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)</b>		<b>ATTY DOCKET NO.:</b> S63.2N-9703-US02		<b>APPLICATION NO.</b> Not yet assigned	
		<b>APPLICANT:</b> Eder et al.			
		<b>FILING DATE:</b> Concurrently herewith		<b>GROUP:</b> Not yet assigned	
<b>UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY</b>					
<b>EXAM'S INIT.</b>		<b>APPLICATION NO.</b>	<b>FILING DATE</b>	<b>INVENTOR(S)</b>	
	<b>DA</b>				
	<b>DB</b>				
	<b>DC</b>				
	<b>DD</b>				
	<b>DE</b>				
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>	
EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					

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<b>US APPLICATIONS REALTED BY PRIORITY</b>						
<b>EXAM'S INIT</b>		<b>APPLICATION NO.</b>	<b>FILING DATE</b>	<b>PATENT NO.</b>	<b>INVENTOR(S)</b>	<b>FORM 1449/892 ENC</b>
	<b>EA</b>	09/681,394	3/28/01	6585753	Eder et al.	X
	<b>EB</b>					
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<b>FORM PTO-1449 (Modified)</b> <b>LIST OF PATENTS AND PUBLICATIONS</b> <b>FOR APPLICANT'S</b> <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)				<b>ATTY DOCKET NO.:</b> S63.2-9703		<b>APPLICATION NO.:</b> 09/681,394	
				<b>APPLICANT:</b> Eder et al.			
				<b>FILING DATE:</b> March 28, 2001		<b>GROUP:</b> 3736	

REFERENCE DESIGNATION				U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS		
EXAM'S INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	4,553,545	11/19/85	Maass et al.	128/341	
	AB	4,856,516	8/15/89	Hillstead	128/343	
	AC	4,886,062	12/12/89	Wiktor	128/343	
	AD	4,954,126	9/4/90	Wallsten	600/36	
	AE	5,342,300	8/30/94	Stefanadis et al.	604/95	
	AF	5,807,404	9/15/98	Richter	623/1	
	AG	5,868,780	2/9/99	Lashinski et al.	606/198	
	AH	5,902,317	5/11/99	Kleshinski et al.	606/198	
	AI	5,938,697	8/17/99	Killion et al.	623/1	
	AJ	6,168,621	1/2/01	Vrba	623/1.2	
	AK	6,165,178	12/26/01	Bashiri et al.	606/108	
	AL					

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DOCUMENT NUMBER	DATE	COUNTRY		
BA	95/31945	11/30/95		
BB	01/01888	1/11/01		
BC	01/08600	2/8/01		
BD				
BE				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
CA		Kutryk, Michael J.B., "Coronary Stenting: Current Perspectives," <i>A Companion to the Handbook of Coronary Stents</i> , pp. 53-59 (1999).
CB		Rodriguez, Alfredo, "The Gianturco-Roubin II (GRII) Stent," <i>Handbook of Coronary Stents</i> , pp. 9-15 (Second Edition 1998).
CC		Beyar, Rafael, "The Coronary Cardiocoil," <i>Handbook of Coronary Stents</i> , pp. 243-253 (Second Edition 1998).

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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	AA						
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<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY			
	BA	01/45593	6/28/01	WO			
	BB	297 21 310	3/26/98	DE			
	BC	196 34 241 A1	2/26/98	DE			
	BD	97/37615	10/16/97	WO			
	BE						
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
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<b>Notice of References Cited</b>	Application/Control No. 09/681,394	Applicant(s)/Patent Under Reexamination EDER ET AL.	
	Examiner Jackson J Suzette	Art Unit 3738	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,428,570-B1	08-2002	Globerman	623/1.15
	B	US-6,361,558-B1	03-2002	Hieshima et al.	623/1.16
	C	US-6,355,058-B1	03-2002	Pacetti et al.	623/1.15
	D	US-6,214,042-B1	04-2001	Jacobsen et al.	623/1.2
	E	US-6,171,338-B1	01-2001	Talja et al.	623/11.11
	F	US-6,080,190	06-2000	Schwartz	623/1.15
	G	US-6,053,940	04-2000	Wijay	623/1.16
	H	US-5,591,230	01-1997	Horn et al.	623/1.15
	I	US-5,591,198	01-1997	Boyle et al.	606/198
	J	US-5,183,085	02-1993	Timmermans	623/1.15
	K	US-5,116,365	05-1992	Hillstead	623/1.15
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
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	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



<b>FORM PTO-1449 (Modified)</b> <b>LIST OF PATENTS AND PUBLICATIONS</b> <b>FOR APPLICANT'S</b> <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)			<b>ATTY DOCKET NO.:</b> S63.2B-9703-US		<b>APPLICATION NO.:</b> 09/681394	
			<b>APPLICANT:</b> Joseph C. Eder and Lex P. Jansen			
			<b>FILING DATE:</b> March 28, 2001		<b>GROUP:</b> 3738	

REFERENCE DESIGNATION			U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS			
EXAM'S INIT.	AA	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,554,181	9/10/96	Das	623/1	
	AB	5,782,907	7/21/98	Frantzen et al.	623/1	
	AC	5,795,318	8/18/98	Wang et al.	604/8	
	AD	5,964,771	10/12/99	Beyar et al.	606/108	
	AE	5,902,266	5/11/99	Leone et al.	604/53	
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	AG					
	AH					
	AI					
	AJ					
	AK					
	AL					

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